

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Case No. 17-CV-05507 (AKH)

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CLAUDINNE FELICIANO,
Individually and on behalf of all others
similarly situated,

Plaintiff,

-against-

CORELOGIC SAFERENT, LLC,
a/k/a CORELOGIC RENTAL PROPERTY
SOLUTIONS, LLC,

Defendant.
-----x

DECLARATION OF MARGARITA J. FRASER DE ABADIE

1. My name is Margarita J. Fraser de Abadie. I reside in the City and State of New York. I am over the age of eighteen and competent to testify to the matters set forth in this Declaration. I make this declaration based on my own personal knowledge, and have provided this Declaration to be submitted in support of Plaintiff's motion for class certification.

2. I reviewed 2,594 of the New York City Housing Court ("Housing Court") cases set forth in the spreadsheet attached as Exhibit 16 to determine whether a disposition occurred in any of those cases and if so whether the disposition occurred before or after the date on which, I understand, a consumer report was prepared by the defendant as set forth in the spreadsheet.

3. To review those cases, I used the public access computer terminals located at the Landlord/Tenant Clerk's office at the Housing Court courthouses located in Manhattan, Queens, the Bronx, and Brooklyn.

4. Though I visited those courthouses, Housing Court cases from all five New York City counties are available at any of the Housing Court Clerk's offices in each borough, so in

order to pull cases from a particular borough, I do not need to physically be in that borough to obtain the data.

5. The process by which I reviewed the cases was as follows: I logged into the court's public access computer terminal. Using the information provided in the spreadsheet attached as Exhibit 16, I searched for Housing Court cases by borough and input the year the case was filed, as well as each case's Index Number. Basic case information would appear on the screen and list information including the initiating event, the filed date, the status, the disposition date and reason, and a judgment, if any.

6. Among the landlord tenant cases I searched was the proceeding related to the Plaintiff in this case, Claudinne Feliciano, Index No. LT-079004-14/NY.

7. Attached as Exhibit 28 is a screenshot of Ms. Feliciano's landlord tenant proceeding.

8. I noted whether there had been a disposition in any of the Housing Court cases I reviewed on a spreadsheet, attached as Exhibit 29.

9. On average, it would take about two minutes to review a case and note its disposition.

10. With respect to the 2,594 cases I reviewed, 1,717 of them, or approximately 66% of the cases, contained a disposition that occurred prior to the issuance of a consumer report by the defendant.

11. A summary of all the cases reviewed, and whether or not there was a disposition of a case before or after a report was issued, is attached as Exhibit 31.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 18, 2019.



Margarita J. Fraser de Abadie

Signature:

Email: alexis.castillo@klafterolsen.com